

VIGO COUNTY COUNCIL
Minutes
Tuesday, February 23, 2010 at 5:00 P.M.
Council Chambers, Vigo County Annex

Pledge of Allegiance

Sheriff Jon Marvel called the meeting to order and led the Pledge of Allegiance.

Calling of the roll

Present: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

President Kathy Miller declared a quorum.

Corrections to the journal of the preceding meeting, if needed

- ✓ *November 24, 2009*
- ✓ *December 29, 2009*
- ✓ *January 5, 2010*
- ✓ *January 19, 2010*

Motion: To approve all minutes as published, **Action:** Approve, **Moved by** Bill Bryan, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Public comment

Debbie Lewis, Vigo County Assessor shared information with the Council regarding a program that is available to all Indiana counties and the reasons why we should be interested. First, revenue is an issue with all counties; second, the changes in which the State is providing help to counties. There was a time when the State of Indiana would send representatives to perform audits on Personal Property assessments. This has not been done for approximately ten years. Personal Property is a self assessment which is performed by out of state companies that are not aware of Indiana statutes and laws. Ms. Lewis is interested in contracting with a vendor that is very well supported across the State of Indiana and by the Commissioner of the Department of Local Government Finance, to audit and to discover untapped revenues on business personal property assessments. Basically, this company will help with the expertise it takes to review some of the huge corporation audits to discover unreported and underreported assessments that would generate additional revenue for the county. A couple of years ago, it was discovered that a local company in Terre Haute was reporting obsolescence on in-use equipment which was denied. It was then taken to a local and state hearing which was won by the county which generated a considerable amount of revenue for the county for that taxing unit. It takes a lot of expertise in some of these larger companies that we do not necessarily have, nor do we have the personnel to review all of these assessments.

Ms. Lewis introduced Larry Brandon to explain the nature of his business and how they can help us. Ms. Lewis added there is no money up front for this service. Mr. Brandon explained the company has been in business since 1979 and there are two offices in Indiana. The primary service they provide is to assist local assessors in doing business personal property returns. The law specifically states that the assessor shall examine and review business personal property returns and if the assessor does not do this, they are allowed to contract with a vendor. Mr. Brandon is a former assessor of Delaware County who contracted with this company at that time. With the help of this company, his township alone, which is the city of Muncie (Indiana), an additional \$3.2 million in revenue was generated that had never been collected. The company guarantees that the county will never pay them more than what is taken in. They would only be paid with the revenues that are generated as a result of the audits performed. Also, the term of the contract states that the county will never be billed for more than what is collected.

Councilman Bill Bryan questioned the actual fee. Mr. Brandon explained the fee is a flat fee based on the size of the audit.

Ms. Lewis explained that she wanted to bring this to the attention of the Council. She has previously spoken to Mr. Seprodi, Vigo County Auditor and Mr. Crockett, Vigo County Treasurer about this because it takes the Auditor, Treasurer and Assessor to perform this function. One of the Commissioners is also aware. She simply wants to keep the Council informed as well, should they receive questions regarding auditing personal property. This has never been done to this extent, but she feels it is very important and hopes to have the support of everyone to move forward.

Councilman Bill Bryan questioned the extra workload involved for the three offices since they are already short staffed. Ms. Lewis explained that not all details are known at this time, but will be discussed before definite decision is made. Mr. Brandon explained that a non-reverting fund must be established by the Auditor's office. The only monies that go into that fund are the revenues generated as a result of the company. As he understands from other county auditor's is that it is no different from setting up any other fund. Ms. Lewis has provided the Auditor and Treasurer with a list of current clients who can be contacted to discuss the type of process and workload that would be involved. This would allow the program to be explored and discussed by everyone involved ahead of time before a contract would be signed. This would not involve any additional expenses to the Assessor's budget.

Joni Foulkes, Health Director requested guidance from the Council as to what information to include in a request being submitted to the Auditor's office.

Communications from elected officials of the County

There were none.

Communications from other officials or agencies

There were none.

Reports from standing committees

There were none.

Reports from select committees

There were none.

Ordinances relating to appropriations

Annual Budget Committee – Technical corrections to the 2010 Budget

A position was taken out of the budget during budget time when all vacant positions were to be eliminated. However, this position was later approved by the Council to be refilled, but the salary was left out of the budget.

Additional Appropriation Ordinance 2010-03

Motion: To approve, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Brad Anderson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Additional Appropriation Ordinance 2010-04

To correct a technical error within the 2010 budget. There were not enough funds appropriated in the Infraction Deferral fund for payroll, FICA and PERF.

Motion: To approve, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Additional Appropriation Ordinance 2010-05

To correct a technical error within the 2010 budget. There were not enough funds appropriated in the Alcohol & Drug fund for payroll, FICA and PERF.

Motion: To approve, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Mark Bird.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Additional Appropriation Ordinance 2010-06

This is the first year for Title IV-D Court to pay utilities and rent. A request for these amounts was mistakenly omitted. To correct this, an additional appropriation is needed in the amount of \$7,250 for utilities and \$27,000 for rent.

Motion: To approve, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Ed Ping.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution of Re-Allocation of Existing Appropriations 2010-01

To correct a technical error within the 2010 budget. Changes were made within the 2010 budget regarding personnel in County General however; adjustments were not made within the payroll lines to go along with those changes.

Motion: To approve, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Brad Anderson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution of Re-Allocation of Existing Appropriations 2010-02

The Jail budget included \$100,000 in payroll to pay for the Jail doctor; however, it should be in Contractual Services-Medical.

Motion: To approve, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Budget Adjustment Committee**Additional Appropriation Ordinance 2010-07**

The Health Department is requesting an additional appropriation in the amount of \$10,000 to be used to purchase new radios for Public Health Preparedness and Emergency Response. This amount is 100% reimbursable from the Indiana State Department of Health.

Motion: To approve, **Action:** Approve, **Moved by** Bill Bryan, **Seconded by** Mark Bird.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Personnel Committee**Salary Ordinance 2010-02**

A Sheriff Deputy was promoted to Detective. Detectives receive a stipend of \$1,500, which was not added at the time of the promotion. Sheriff Marvel is requesting this be added and retroactive to the first pay of 2010.

Motion: To approve, **Action:** Approve, **Moved by** Ed Ping, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Salary Ordinance 2010-03

To set the number of positions and salaries allowed within the Highway Department. The Highway director may switch employee positions within these numbers.

Motion: To approve, **Action:** Approve, **Moved by** Brad Anderson, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Salary Ordinance 2010-04

To set the number of positions and salaries allowed within the Local Road & Street fund.

Motion: To approve, **Action:** Approve, **Moved by** Mark Bird, **Seconded by** Darrick Scott.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Salary Ordinance 2010-05

To set the number of positions and salaries allowed within the Cumulative Bridge fund.

Motion: To approve , **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Mark Bird.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Salary Ordinance 2010-06

To hire part-time maintenance workers on an as needed basis to perform tasks requiring specific qualifications such as plumbing and electrical work. These workers would receive \$25/hr, not to exceed \$31,459 annually.

Motion: To approve, **Action:** Approve, **Moved by** Brad Anderson, **Seconded by** Ed Ping.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution 2010-01

To refill a Deputy Auditor position in the Auditor's office at Grade 7.

Motion: To approve, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Darrick Scott.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution 2010-02

To refill the position of Vital Records Clerical Assistant in the Health Department at Grade 7.

Motion: To approve, **Action:** Approve, **Moved by** Bill Bryan, **Seconded by** Brad Anderson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Special Projects Committee

Resolution 2010-03

Allows the sale of the Air Pollution Control building located at 103 South Third Street, Terre Haute, Indiana.

Motion: To approve, **Action:** Approve, **Moved by** Bill Bryan, **Seconded by** Mark Bird.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution 2010-04

The Commissioners are requesting the proceeds from the sale of the VC Air Pollution Control building be distributed 80% to Air Pollution Control Title V and 20% to the Air Pollution Control Non-Reverting fund.

Motion: Postpone until the March 23, 2010 Council meeting when the Council's legal council is present. **Action:** Postpone, **Moved by** Bill Bryan, **Seconded by** Brad Anderson.

Vote: Motion passed (**summary:** Yes = 6, No = 1, Abstain = 0).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Darrick Scott, Mark Bird, Kathy Miller.

No: Tim Curley.

Honorary resolutions

There were none.

Resolutions relating to fiscal policies of the Council

There were none.

First reading by summary reference of proposed ordinances and resolutions

President Kathy Miller assigned Request of Council for the March 23, 2010 meeting to committee for further review.

Appointments

There were none.

Adjournment

Motion: To adjourn, **Action:** Adjourn, **Moved by** Tim Curley, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.